

REMARKS

In response to the Final Office Action dated March 26, 2007, applicant provides the following arguments.

The Claims 2-20 of the application were selectively rejected as anticipated under 35 U.S.C. 102 by Blossch and unpatentable under 35 U.S.C. 103 over Wolfsteiner in view of Blossch, and further in view of Takahasi et al. or Nadas et al. These rejections are respectfully traversed.

Claim 20 is directed specifically towards a brake application system including:

a wear adjuster having a helical gear which has a threaded spindle and a nut which can be screwed thereto as screw connection parts;

one screw connection part of the helical gear being electrically driven to rotate for the wear adjusting; and

another screw connection part of the helical gear being electrically driven to rotate for an emergency and/or auxiliary release of the brake.

Blossch shows an electrical motor 22 for applying the brake by linear movement of the two screw connection parts 56/60 and electrical motor 50 only rotates screw connection part 56 for linear movement of screw connection part 60. Neither electric motor 22 or 50 rotate the other screw connection part 60. Thus Blossch does not meet the limitation of the claims of what is being driven without reaching the limitations of “wear adjustment” and “emergency and/or auxiliary release”.

As previously indicated, Wolfensteiner’s first, electromagnetic blocking brake 26 (column 2, lines 41-42) is not a motor, but a brake for the motor 24 (column 3, lines 52-53). Even if 24 and 26 were both motors, they both act on the same screw connection part 34. Thus, Wolfensteiner only has one motor driven screw connection part 34 and combining it with Blossch would require a redesign to have two motors and one for linear movement and the other for rotation of only one of the two screw connection parts. This combination, even if it were obvious would not meet the limitations of the claims. It cannot meet the limitation of Claim 20 nor form the bases for modification to incorporate driving the other screw connection part 58 without major modification and hindsight reconstruction.

Thus, the features of Claim 20 are not anticipated nor obvious over the cited references.

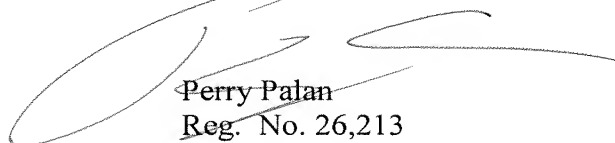
Claims 2-19 depend from one the allowable independent claim and they are considered to be allowable for at least the same reasons as Claim 20 and for their own limitations as well, and such is respectfully requested.

In view of the above, Claims 2-20 and the application are in condition for allowance and such is respectfully requested.

As requested by the examiner, Applicant brings to the Examiner's attention pending applications Serial No.: 10/510,039 and 10/510,038.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Barnes & Thornburg LLP Deposit Account No. 02-1010 (566/42763).

Respectfully submitted,



Perry Palan
Reg. No. 26,213